

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CHARLES ELLIS,

Plaintiff,

v.

COUNTY OF KERN, *et al.*,

Defendants.

Case No. 1:22-cv-00436-KES-BAM (PC)

ORDER RECALLING ORDER DIRECTING
RE-SERVICE ON ALL DEFENDANTS BY
THE UNITED STATES MARSHALS
SERVICE

(ECF No. 26)

Plaintiff Charles Ellis (“Plaintiff”) is a county jail inmate proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s first amended complaint against Defendants Gifford, Alvarez, Boyd, and Lemon (“Defendants”) for excessive force and for denial of medical care in violation of the Fourteenth Amendment.

On July 2, 2024, the Court issued an order directing the United States Marshals Service to re-serve all defendants with summonses and the first amended complaint. (ECF No. 26.) On July 3, 2024, Defendants filed an answer to the complaint, and on July 5, 2024, Defendants filed signed waivers of service. (ECF Nos. 28–32.)

Based on the foregoing, the Court HEREBY ORDERS that:

1. The July 2, 2024 order directing re-service on all defendants by the United States Marshals Service, (ECF No. 26), is RECALLED; and

2. The Clerk's Office is DIRECTED to serve a copy of this order on the United States Marshals Service.

IT IS SO ORDERED.

Dated: July 8, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE